

**ORIGINAL**

PETER B. CARLISLE 2209  
 Prosecuting Attorney  
 CHARLENE K. IKEDA 5210  
 Deputy Prosecuting Attorney  
 City and County of Honolulu  
 Alii Place  
 1060 Richards Street, 10th Floor  
 Honolulu, Hawaii 96813  
 Ph: 527-6569  
 FAX: 527-6546  
 Attorneys for State of Hawaii

FILED IN THE  
 UNITED STATES DISTRICT COURT  
 DISTRICT OF HAWAII

APR 26 2006  
 at 9 o'clock and 24 min.  
 SUE BEITIA, CLERK

## IN THE UNITED STATES DISTRICT COURT

## FOR THE DISTRICT OF HAWAII

UNITED STATES OF AMERICA,	)	CR. NO. 04-00294
	)	
Plaintiff,	)	APPLICATION REGARDING
	)	TEMPORARY TRANSFER OF
v.	)	CUSTODY TO THE STATE OF HAWAII
	)	REGARDING WRIT OF HABEAS
JAMES CARVALHO,	)	CORPUS AD PROSEQUENDUM;
	)	EXHIBITS "A AND B"
Defendant.	)	
	)	
	)	

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APPLICATION REGARDING TEMPORARY TRANSFER  
 OF CUSTODY TO THE STATE OF HAWAII REGARDING  
WRIT OF HABEAS CORPUS AD PROSEQUENDUM

Charlene K. Ikeda, Deputy Prosecuting Attorney for the City and County of Honolulu, State of Hawaii, hereby moves the Honorable Court for an Order authorizing the temporary transfer of the physical custody of JAMES CARVALHO from the United States Marshal Service, District of Hawaii, to State of Hawaii Officials from time to time and as needed until the conclusion of State of Hawaii v. JAMES CARVALHO, Criminal No. 02-1-1159.

Defendant JAMES CARVALHO is now detained in the custody of the United States Marshal Service, District of Hawaii, serving an 84-month federal term of imprisonment.

Defendant JAMES CARVALHO has sentencing before the Honorable Richard K. Perkins, Judge of the Circuit Court of the First Circuit, State of Hawaii, currently scheduled for June 28, 2006; 10:00 a.m.

The State of Hawaii has received approval for a temporary transfer of custody from the Assistant United States Attorney assigned to the above matter. (See, Exhibit "A").

This Application requests that the Court grant a temporary transfer of the physical custody of JAMES CARVALHO from the United States Marshal Service, District of Hawaii, to State of Hawaii Officials, based on the State of Hawaii's Writ of Habeas Corpus ad Prosequendum filed on April 26, 2006, in the Circuit Court of the First Circuit, State of Hawaii (see, Exhibit "B").

Upon conclusion of State of Hawaii v. JAMES CARVALHO, Criminal No. 02-1-1159, Defendant JAMES CARVALHO will be returned to the United States Marshal Service, District of Hawaii, on a mutually agreed upon date.

Dated at Honolulu, Hawaii: April 26, 2006.

STATE OF HAWAII

By PETER B. CARLISLE  
Prosecuting Attorney

By \_\_\_\_\_  
CHARLENE K. IKEDA  
Deputy Prosecuting Attorney  
City and County of Honolulu

United States v. JAMES CARVALHO  
Cr. No. 04-00294

Application Regarding Temporary Transfer  
of Custody to the State of Hawaii  
Regarding Writ of Habeas Corpus ad  
Prosequendum